

**IN THE UNITED STATES BANKRUPTCY COURT
FOR THE DISTRICT OF PUERTO RICO**

In Re:

**JEFFREY FRANCHESCHI PEREZ
NUVIA INGLES GARCIA**

Debtor(s)

Case No.: 10-04517 BKT

Chapter 13

MOTION TO INFORM AMENDED PLAN

TO THE HONORABLE COURT:

NOW COMES the debtor, through the undersigned attorney, and very respectfully alleges and prays:

1. That today the debtor is filing an amended chapter 13 repayment plan.
2. That the reason for amendment is to adjust debtors payment schedule to increase the base of the plan.

WHEREFORE, the Trustee respectfully requests this Honorable Court to take notice of the aforementioned.

RESPECTFULLY SUBMITTED.

I HEREBY CERTIFY that a true and exact copy of the foregoing motion has been filed electronically with the Clerk of the Court using CM/ECF systems which will send notification of such to the Chapter 13 Trustee, and we sent copy of this document through regular mail to debtor (s) and all non CM/ECF participants interested parties to their addresses listed on the master address list.

In San Juan, Puerto Rico this 15TH day of July of 2010.

JPC LAW OFFICE

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By: /s/ Jose M Prieto Carballo, Esq.

**United States Bankruptcy Court
District of Puerto Rico**

IN RE:

Case No. 10-04517-13

FRANCHESCHI PEREZ, JEFFREY & INGLES GARCIA, NUVIA

Chapter 13

Debtor(s)

AMENDED CHAPTER 13 PAYMENT PLAN

1. The future earnings of the Debtor(s) are submitted to the supervision and control of the Trustee and the Debtor(s) shall make payments to the Trustee ☒ directly ☐ by payroll deductions as hereinafter provided in the PAYMENT PLAN SCHEDULE.
2. The Trustee shall distribute the funds so received as hereinafter provided in the DISBURSEMENT SCHEDULE.

PLAN DATED: _____ <input checked="" type="checkbox"/> AMENDED PLAN DATED: 7/15/2010 <input type="checkbox"/> PRE <input type="checkbox"/> POST-CONFIRMATION Filed by: <input checked="" type="checkbox"/> Debtor <input type="checkbox"/> Trustee <input type="checkbox"/> Other	
I. PAYMENT PLAN SCHEDULE \$ 275.00 x 2 = \$ 550.00 \$ 325.00 x 58 = \$ 18,850.00 \$ x = \$ \$ x = \$ \$ x = \$ TOTAL: \$ 19,400.00 Additional Payments: \$ _____ to be paid as a LUMP SUM within _____ with proceeds to come from: <input type="checkbox"/> Sale of Property identified as follows: _____ <input type="checkbox"/> Other: _____ Periodic Payments to be made other than, and in addition to the above: \$ _____ x _____ = \$ _____ PROPOSED BASE: \$ 19,400.00	II. DISBURSEMENT SCHEDULE A. ADEQUATE PROTECTION PAYMENTS OR _____ \$ _____ B. SECURED CLAIMS: <input type="checkbox"/> Debtor represents no secured claims. <input checked="" type="checkbox"/> Creditors having secured claims will retain their liens and shall be paid as follows: 1. <input type="checkbox"/> Trustee pays secured ARREARS: Cr. _____ Cr. _____ Cr. _____ # _____ # _____ # _____ \$ _____ \$ _____ \$ _____ 2. <input checked="" type="checkbox"/> Trustee pays IN FULL Secured Claims: Cr. REL FINANCIAL _____ Cr. _____ Cr. _____ # 6636327510002751 # _____ # _____ \$ 10,404.35 \$ _____ \$ _____ 3. <input type="checkbox"/> Trustee pays VALUE OF COLLATERAL: Cr. _____ Cr. _____ Cr. _____ # _____ # _____ # _____ \$ _____ \$ _____ \$ _____ 4. <input checked="" type="checkbox"/> Debtor SURRENDERS COLLATERAL to Lien Holder: COOP A/C ROOSEVELT 5. <input type="checkbox"/> Other: _____ 6. <input checked="" type="checkbox"/> Debtor otherwise maintains regular payments directly to: BANCO SANTANDER C. PRIORITIES: The Trustee shall pay priorities in accordance with the law. 11 U.S.C. § 507 and § 1322(a)(2) D. UNSECURED CLAIMS: Plan <input type="checkbox"/> Classifies <input checked="" type="checkbox"/> Does not Classify Claims. 1. (a) Class A: <input type="checkbox"/> Co-debtor Claims / <input type="checkbox"/> Other: _____ <input type="checkbox"/> Paid 100% / <input type="checkbox"/> Other: _____ Cr. _____ Cr. _____ Cr. _____ # _____ # _____ # _____ \$ _____ \$ _____ \$ _____ 2. Unsecured Claims otherwise receive PRO-RATA disbursements. OTHER PROVISIONS: <i>(Executory contracts; payment of interest to unsecureds, etc.)</i> <small>FAILURE TO TIMELY OBJECT TO THIS PLAN BY A CREDITOR CONSTITUTES A WAIVER OF THE EQUAL MONTHLY AMOUNT METHOD OF PAYMENT 11 USC 1325 (a)(5).</small> ATTORNEY'S FEES WILL BE PAID AHEAD OF SECURED CREDITORS PER 11 USC 330. TAX REFUNDS, IF ANY ARE RECEIVED BY DEBTOR, WILL BE TENDERED TO THE TRUSTEE AS PERIODIC PAYMENTS TO FUND THE PLAN UNTIL PLAN COMPLETION IN ADDITION TO PAYMENTS ALREADY PROVIDED HEREIN. IF DEBTOR(S) NEED TO USE ANY PART OF THESE FUNDS, PROPER AUTHORIZATION WILL BE SOUGHT FROM THE COURT FOR SUCH PURPOSE. DEBTOR WILL PROVIDE INSURANCE TO RELIABLE FIN TROUGH EASTERN AMERICAN INS CORP. ADEQUATE PROTECTION TO RELIABLE IN THE AMOUNT OF \$100.00
III. ATTORNEY'S FEES (Treated as § 507 Priorities) Outstanding balance as per Rule 2016(b) Fee Disclosure Statement: \$ 2,814.00	
Signed: <u>/s/ JEFFREY FRANCHESCHI PEREZ</u> Debtor <u>/s/ NUVIA INGLES GARCIA</u> Joint Debtor	

Attorney for Debtor Jose Prieto

Phone: (787) 607-2066

Label Matrix for local noticing
0104-3
Case 10-04517-BKT13
District of Puerto Rico
Old San Juan
Thu Jul 15 12:59:42 AST 2010

US Bankruptcy Court District of P.R.
U.S. Post Office and Courthouse Building
300 Recinto Sur Street, Room 109
San Juan, PR 00901-1964

CITIFINANCIAL
P O BOX 499
HANOVER, MD 21076-0499

RELIABLE FINANCIAL SERVICES
PO BOX 21382
SAN JUAN PR 00928-1382

Sprint Nextel Distribution
Attn: Bankruptcy Dept
P.O. Box 3326
Englewood, CO 80155-3326

JOSE M PRIETO CARBALLO
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End of Label Matrix
Mailable recipients 17
Bypassed recipients 0
Total 17

COOP A/C ROOSEVELT ROADS
CARLOS A QUILICHINI PAZ ESQ
PO BOX 9020895
SAN JUAN, PR 00902-0895

BANCO SANTANDER
P O BOX 362589
SAN JUAN, PR 00936-2589

COOP A/C ROOSEVELT
P O BOX 31
FAJARDO, PR 00738-0031

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6391 SPRINTPARKWAY
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PO BOX 9024062
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Sprint Nextel Correspondence
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